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PRICE TWO CENTS.

MILLIONS FOR AVERELL. PROPIES OF THE BARBER ASPHALT COMPANY AWARDED TO HIM.

Jadgment for \$476,197.18, Profits Made in Buffalo Oply, Estered a Few Days Ago-Long Legal Fight Promises to Life the Cavalry Leader from Poverty to Riches,

A few days ago a judgment for nearly half on dollars was entered for record in the County Clerk's office in this city in favor Gen. W. W. Averell, the cavalry leader. The judgment is the result of long years of on the part of the General to not only establish that he was the inventor of the Amerprocess that made the use of asphalt for paying tracticable, but to recover the profits resulting from its use in the paving of streets by others, whom he charmed with having appropriated his patents and excluded him from vet a share in the immense proceeds.

Failures of attempts at asphalt paving here had brought it into disfavor, when about 1869 Edward J. De Smedt, a Belgian, representing himself as a professor of chemistry and a graduate of the University of Brussels, employed for four years by the French Government in in ing asphalt pavement in the city of Paris, under a process of his own invention. appeared in New York. He met Gen. Averell, who had, in 18d9, retired from the office of Consuldieneral of the United States in British North America. After examining, with Gen. McClellan, Gen. Gilmore, and Gen. Wright, of the Jovernment Engineer Corps, specimens of De Smedt's pavement, and in the face of the popular prejudice then existing against asphalt, Gen. Averell become a firm believer in its possibilities, and induced a number of his friends to provide money to buy and introduce De. Smedt's pavement. He obtained contracts to pave Battery Park, Reservoir quare, and around the Mall in Central Park. the paying was done.

contracts to pave Battery Fark. Reservoir square, and around the Mall in Central Park. The pavement went to pieces in a short time. The pavement went to pieces in a short time. The experiment cost Gen. Averell's friends \$40,000. Although the General lost faith in Le Smedt, he still believed in asphalt. He did not discard the Belgian however, but, as is alleged in his papers in the litigation that has been running for years, he retained De Smedt as an employee, and began experiments with the treatment of asphalt himself. In the spring of 1873 he perfected a process and obtained the consent of the city authorities to lay an experimental block of the pavement, lie chose the block on Fifth avenue between Brosilway and Twenty-fifth street, past the Worth monument. This pavement remained nues on that buy block for fourteen years, and then, still in good order, was removed and replaced with Heigian blocks.

Forseeing the value and importance of his invention, ten. Averell, in 1873, leased from the British Government a part of the pitch lake in Trinidad, and controlled the entire importation of asphalt thence to the United States. This arrangement was to continue as long as the other lessees of the lake kept their centract with the Government. From that time until 1876 the General put down test blocks of his pavement in different cities, and in that year laid the first practical area of ashalt navement ever put down under contract in this country. This was the paving of Fennsylvania avenue in Washington. There were seven be Smedt patents for asphalt pavement, had proved that none was of any value.

periment had proved that none was of any value.

Anzi i. Barber was a wealthy coal dealer in Washington. While Gen. Averell was laying the averment on Pennsylvania avenue, he Smedt, it is alleged, suddenly left his employ, having been appointed, through Barber's influence, inspector of asphalt pavements for the District of Columbia. Gen. Averell alleges that De Smedt signed a contract with Barber and Andrew Langdon to engage in the laying of asphalt pavements throughout the country by the Averell process. No patent had yet, been issued to Gen. Averell for this process, but one was pending, and it was issued en Jan. 14. 1878. Then all work by the Barber combination was ecopped by infunction. Finally a compromise was arranged and the American Asphalt Paving Company was organized. Amzi L. Earter, with a one-third interest in the company, became a trustee of the Committee. Gen. Martin T. McManon and the Hon. H. H. Parker were among the stockholders. It is alleged in Gen. Averell's pagers that Barber and his party in the company secured control of it vacated its offices, cassed to do any business in the name of the company, organized the Barber Asphalt Paving in the company, had been a continuous purchased for Sail in their own names, two old De, Smedt paints, broadened the claim upon one of those so that it covered the process siready patented by ten. Averell, had the patent relssued to them, and becan to do business under it in them and becan to do business under it in them, and becan to do business under it in the man of them, and becan to do business under it in them, and becan to do business under it in the man of them, and becan to do business under it in them and becan to do business under it in them and becan to do business under it in the man of them and becan to do business under it in the man of the company in the dom and becan to do business under it in the company and becan to do business under it in the company and becan to do business under it in the company and becan to the company and the said the s

sou in their own names, two old De. Smedt in their own names, two old De. Smedt is treate, broadened the claim upon one of those is that it covered the process already patented by ten. Averell, had the patent reissued to them, and becan to do business under it in the name of the Barber Company.

The name of the Barber Company.

The same of the Barber Company.

The Supreme Court of this State, before the late Justice Van Vorst, sgainst Barber and his associates and the Barber Company or recover his rights and for an accounting, lodge Van Vorst died while the case was pendime. It was reitled before Judge Edward Paterson, in 1887 he decided in favor of Gen. Averell on every point, and appointed George is Marris of this city referee to ascertain the colles due the General. Theren G. Strong cas appointed receiver of the profits due. The eteniants appealed to the General Term, thich affirmed the Judgment against Barber and his associates. The late Gen. Thomas wing was ton. Averell's attorney in the case, time his death Edward Hassett of this city as had charge of it.

The refere's report, as confirmed by Judge averence, gives Gen, Averell'judgment for 174,167.18. This comprises only the profits of Harber from his popurates in the city of Buf-fallo. As all the asphalit paving in this comply has been done by his componer, or by comply as been done by his componer, or by comply as the complex of the co

Harber from his contracts in the city of Bufb. As all the asphalt paving in this counhas been done by his company, or by counhas been done by his company, or by counlies working under a license from the BarCompany, a similar accounting will have to
made to Gen, Averell for the profits on conts for street paving in every town and city
were aspinate has been put down. New York
secured against any damage from infringeit suits by bends given by the Barber Comy. The judgment recovered by Gen, Averincludes only work done from the time the
ber Asphalt Company began work up to call includes only work done from the time the liabler Asphait Company began work up to 1887, at which time the Averell patent expired. The General claims an accounting for the wrofts on all contracts signed for work before 1887 but not executed until after that date. The referred did not allow that claim. On this point there may be an appeal.

The American Asphalt Company, not being permitted to do any business for a length of time in excess of the statutory limit, was disavived by leval process in May, 1894. Gen, Anson G. McCook was appointed receiver to settle up its affairs. As such receiver he has brought an action in the United States Court for the Southern District of New York against Amiz L. Barber individually, and one in the United States Court for the District of West Nighila against the Harber Asphalt Company, to recover damages for infringement of the Averell patent, Infringement suits are also to be brought against all towns and cities where such pavenuts have been put down.

Sen, Averell has fought this legal battle stublecingly through many years of poverty and ill health. His old comrades in arms congranulate him," said Gen, McMahon yesterday, it is said that Gen. Averell's abare of the Profits on asphalt paving will run to millions of dollars. in asphalt paving will run to millions o

HAD MIND BLINDNESS.

Accidental Discovery of the Identity of Man Who Had Porgotten the Past,

PHILADELPHIA, July 19.-A curious case of memory was made public yesterday through the discovery of the identity of the On March 6 last a well-dressed young man accessed a policeman on the street and him that he was lost, and had no recolction of who he was or where he came from. ic man was miber, rational, and, aside from oss of memory, well balanced mentally man's entire past life was completely d from his mind, and he had no recollec-of anything before the time he spoke to

an. at to the Philadelphia Hospital, and as well to the Philadelphia as well educated and remembered what has well educated and remembered what was it is to the sanger of the institution. The name was given to him, and unwas given to him, and unwas given to him. chief schelosh of the institution. The name there is beautiful was given to him, and until resterial he was known by that name. Yesterial II. Robinson of Lawrence, Kan., a young resident obysician at the hospital, haplened into the their physician's office and recognized Brant's as a fellow townsman and college chum of his named Herbert C. Spencer, is the son of Selden P. Spencer of Lawrence, Kan, and the last his ramily heard from him, was in Washington on Jan. 27 last, Mr. Stencer was in Washington on Jan. 27 last, Mr. Stencer was in Washington on Jan. 27 last, Mr. Stencer was in Washington on Jan. 27 last, Mr. Stencer was in Washington on Jan. 27 last, Mr. Stencer was in Washington on Becnoer's disease is known as nind biindness. Spencer had no recollection of Robusson, and could recall nothing of his peat life when it was repeated to him. Dr. Easterley another townsman of Spencer, also identified him.

MR. VANDERBILT STILL BETTER. The Family All Confident New that the

All the reports, official and otherwise, that were given out yesterday in reference to the condition of Cornelius Vanderbilt, Sr., indicated that he is steadily improving. These are the bulletins:

Worst Is Over.

10:30 A. M.-Mr. Vanderbils passed a comfortable night. His condition remains the same as at last re-port. James W. McLang. M. D. WILLIAM H. DRAPER, M. D.

WILLIAM H. DRAPER, M. D.

10:15 P. M.—Mr. Vandorbilt passed a very comfortable day, and his condition is better this evening than at any time since his attack on Tursday last.

JAMES W. McLARE, M. D.

WILLIAM H. DRAPER, M. D.

Dra. Delafield and Janeway had gone out of town for Sunday.

In the afternoon Cornelius Vanderbilt, Jr. came out of the house for a walk. He is rapidly recovering from his attack of rheumatism, but he is very thin and walks with a cane. When asked for news from the sick room, he said: 'My father is so much better that all the family are greatly encouraged. We all feel

confident now that the worst is over."

Dr. McLane said a little later that he could add nothing to the morning bulletin, save that Mr. Vanderbilt had passed a comfortable day. Alfred and Reginald Vanderblit, Mr. Vander blit's second and third sons, did not go to Newport yesterday morning, as was originally intended. Word had been sent to "The Break-

ers" that the boys would reach there on Sunday afternoon. Yesterday morning, however, a message that they would not leave New York for a time was sent. Shortly after 5 o'clock yesterday afternoon Miss Vanderbilt and young Mr. Whitney came out of the house and walked down Fifth avenue. The crowd around the house, by this time num-bering several hundred, did not recognize the

young couple at first. When it did it tagged after them until they took refuge in a cab and drove away.

Prayers for the speedy recovery of Mr. Vanderbilt were offered at all the services held yesterday in the Protestant Episcopal Mission, 611 East 158th street. The mission work was begun last February at the request of Mr. Vanderbilt, and was established for the benefit of the railroad porters and their families employed on the

Vanderbilt system. At 11:30 o'clock last night Dr. McLane stated that Mr. Vanderbilt was sleeping.

INTERNATIONAL COURTESIES. Six White Caps Touched in French to

Probably one of the most astonished policemen New York ever saw is the man whose post was Park place, near Broadway, yesterday afternoon. He was walking along slowly, enjoying the fresh, cool air when a half dozen young men came along. They were a swarthy set, all of them more or less bearded. They wore white duck trousers, blue double-breasted coats, with brass buttons, and plenty of gold braid, and white duck caps. They went up to the policeman and began to overwhelm him with questions in French. French is not required by Mr. Roosevelt's civil service examina-

Finally, realizing the hopelessness of trying to converse in French with a New York policeman, one of them pulled out a notebook and wrote down a place where they wanted to go. The policeman understood this, and by means of signs and strange sounds managed to tell them that they must take the elevated. When they finally comprehended what he meant they all lined up and saiuted him as if he had been an Admirai in the navy. The policeman grew red, leaned against the railing to support himself, and then at last managed to salute them in accordance with the rules and regulations of the municipal police. When they had gone on he braced himself up, a broad smile crept over his face, and he said:

"By gum, them Frenchmen are polite, any how." The polite Frenchmen were evidently a party

from the French cruiser that lies in the river. DID SHE RILL HERSELF?

A pretty young woman, who was known as Mrs. Alice Gray, but is supposed to be Miss Millie M. Blakesley, and who came to Brook-

lyn from Ohio about two years ago, was found dead yesterday morning in her flat on the first floor of 300 Sixth street in that city. The discovery was made about 8 o chok by Mr. Dorsey and his wife, who lively the second flat, and who were alarmed at not hearing Mrs. Gray around as usual.

The woman was in bed, with one hand under her head and the other pressed against her abdomen. Her mouth seemed to have been burned, and the presence of carbolic acid and chloral in the room led to the supposition that she may have committed suicide, but Police Captain Johnson is inclined to believe that the woman died from natural causes. The body, by the direction of Coroner Coomba, was removed to Undertaker Henderson's shop, at Myrtie avenue and Jay street, and an autopsy will be made to-day by Dr. A. W. Shepard.

Mrs. Gray, as she was known, was about 22 years old, finely formed, and had light hair and bine eyes. She formerly lived in St. Felix street, and for some time was employed as a model in Weinberg's furrier store, in Fulton street. She moved from St. Felix street to the Sixth street flat about three months ago. A bill found among her effects shows that the furniture cost her \$162, 50, and that only \$23 was paid on account. From letters found in the flat, and now in possession of Capt. Johnson, it appears that she was Millie Alice Elakesley, and that her family live at Weymouth. Medina county. O. The letters are from her father and brother. A scaled letter addressed to Henry Blakesley at Weymouth, but unstamped, was also found. When opened it may, it is thought, throw some light on her death.

Among the letters was one signed simply "Ed," and without any address or date.

It shows that the young woman was mixed up in a love affair. Ed says that he has discovered that she prefers some one else to him, and wishes her new friend better luck than he has had. Capt. Johnson says that "Ed" was one of the many admirers Mrs. Gray had attracted. He has an impression that he knows who "Ed" is said to be well known in sporting circles, and also among some of the officials and politicians around the City Hall. He was in the habit of calling at the Sixth street flat two or three times a week. His visits were discontinued only a few days ago. There were also many other callers. Mrs. Gray had attracted he woman who created a scene in front of the New York Post Office a few months ago.

At the undertaker's it was said that carroolic acid probably was the cause of the young woman on hi chloral in the room led to the supposition that she may have committed suicide, but Police

GREAT FOREST FIRES.

Enermous Damage Done in Washington, Idabo, and British Columbia. SPOKANE, Wash., July 19.-Forest fires are raging throughout the country north of this city in Washington, Idaho, and British Columbia. Millions of feet of timber has already been destroyed, and throughout numerous mining camps in the path of the fires great damage is being done. The smoke here is so dense as almost to shut out the sun, and at Rossland and other towing further neith the atmosphere is so laden with smoke and the air is so dense that life is almost unbearable. Many citizens are flocking to this city for relief. bia. Millions of feet of timber has already been

A Jerseyman Robbed in City Hall Park. Ernest Kloepfel of 58% Coles street, Jersey City, went to sleep on a beach in City Hall City, went to steep on a death of the Park circle last evening. When he awoke his allver watch had disappeared. He saw Lonis Peccolito, 25 years old, of 25 Cherry street, hurryling off toward Frankfort street. Kloepferyling of toward Frankfort street. Kloepferyling of toward and a park policeman caught Peccolito near a bridge arch at Vandewater Peccolito near a bridge arch at Vandewater attest. The watch was not recovered, but the prisoner was locked up in the Oak street station.

BROTHER KILLS BROTHER.

TWO ROTS IN A QUARREL OFER A BASEBALL MASK.

James Griffin, 12 Years Old, Stabs His Sixteen-year-old Brother Joseph with a Penknife-The Wounded Boy Dies While

a Doctor Is Examining the Wound, James Griffin, a schoolboy 12 years old, stabbed and killed his sixteen-year-old brother Joseph in a boyish quarrel over the possession of a baseball mask yesterday. The boys lived with their widowed mother and three elder sis-

ters at 317 East Eighty-eighth street.

They were the best of friends, but the younger boy is a thin faced, nervous little urchin, quick tempered, and irritable at times. His brother was his opposite in build and figure. He was large, well formed, had a round, plump face, and an even disposition. He was stubborn at times, and liked to tantalize his brother, who was no match for him physically. These characteristics of the lads seem to have led di-

rectly to the killing of the elder brother. They left home together about 2 o'clock to go to Central Park to play ball. Joseph carried a pat and the catcher's mask. They had reached Eighty-sixth street and Second avenue when James said he wanted to carry the mask. Joseph refused to let him have it, and the younger boy flew into a passion and began a fruitless struggle for the possession of the mask which Joseph held.

James had open in his hand a small threebladed knife, the largest blade being only about two inches long. In one of his rushes at his brother he struck at him with the knife and the short, narrow blade pierced Joseph's left side. The wounded boy ran diagonally across the avenue and into Meyer Brothers' drug store on

the southwest corner.
"I'm stabbed," he cried to Clerk Frank Sense, who was behind the counter, and Druggist Meyer, who is not a physician or surgeon, came

out from behind the prescription desk.
"Go around the corner and you will find a doctor," Mr. Meyer told the lad, who then ran next door to 242 East Eighty-sixth street, where next door to 242 East Eighty-sixth street, where Dr. Miller lives. Dr. Miller was at home and the wounded boy was ushered into his office.

"My brother stabbed me, doctor," said Joseph, whose shirt was stained with blood.

Then he recied and would have failen, but the Doctor caught him and placed him in a recining position in an operating chair. He then tore open the boy's shirt, but before he had time to more than glance at the wound the boy was dead.

tore open the boy's shirt, but before he had time to more than glance at the wound the boy was dead.

The wound was a very narrow incised wound which had not bled very profusely.

Dr. Miller telephoned to Police iteadquarters. Capt. Dean at the East Eighty-eighth street station was notified of the killing. Two policemen had just reached Dr. Miller's house when a sister of the dead buy arrived.

After the stabbling James ran home. He entered the house quietly, threw the knife over the back fence, and then announced that his brother had been hurt, and could be found at the drug store. Mrs. Griffin was not at home, but her daughters were, and Lizzie started at once in search of her injured brother.

The policemen found James at his home and placed him under arrest. When the Captain asked where the knife was young Griffin said he had lest it. He finsily admitted that he had thrown it over the fence, where it was found.

The youthful prisoner was dreased in Knickerbockers, as dotted shirt waist and a soldier cap. In appearance be is a typical innocent schoolboy, but he invented a different story of the stabbling as often as the Captain asked him to tell the truth about it. He finally admitted that he made a thrust at his brother, but "I did not mean to burth him "he added.

When Coroner Hoeber arrived at the station the boy had to repeat his story, and again he changed it in a vital point. This is what he said:

"I left my house with my brother Joseph to

clanged it in a vital point. This is what he said:

"I left my house with my brother Joseph to go to Central Park to play ball. When we got to Eighty-sixth street and Second avenue my brother had a baseball mask. I wanted him to give it to me. I had a penkuite open in my hand at the time. I made a grab for the mask, and while I was struggling to got it he knocked my arm up, and then my brother was stabbed with the knife.

"Then my brother started to go to a drug store and I ran home and threw the knife out of the window."

The police hunted up three witnesses. Only one of them, William Smith of 1.742 Second avenue saw the scuffle, and he did not know that a knife had figured in it. her boy's death is the second tragedy which re, tiriffin has been called upon to endure. Her husband, a stone mason, was killed by a fail from a building about seven years ago.

Mrs. Griffin says that her boys were both good and kind-hearted, and that neither would have willingly hurt the other. Joseph was employed by H. F. Williams, a photographer on Broadway, near Third street.

The police believe that James struck his brother in a moment of passion with no intention of seriously injuring him. The Coroner Issued a nermit for the removal of Joseph's body to his home. James will be arruigned in the Harlem Police Court this morning.

WHERLED HOME A WOUNDED ROY. Expicit of Seven-year-old Clarence Brokaw

After a Cowboy Performance, SOMERVILLE, N. J., July 19.-Sixteen-year-old Harry Melbourne of New York city came to this place to spend his vacation, armed with a murderous-looking revolver and a lot of yellowpovered literature. Yesterday he went to a secluded spot near Peters Brook, where he gave an exhibition of the cowboy order to a party of small boys. As he was about to draw his revolver in haste from his breeches pocket to

volver in haste from his breeches pocket to shoot an imaginary foe it was accidentally discharged, and he senk to the ground with a bullet in his hip.

As he lay upon the grass moaning all his companions fled in alarm, except 7-year-old Clarence Brokaw, Melbourne is a fat boy, weighing 150 pounds. The plucky little Brokaw boy struggled to get the wounded hoy home until he became almost exhausted. Then he started off across the fields and returned with a wheelbarrow. He got Melbourne on the barrow and wheeled him half a mile across the meadows to his home. The injured boy was in a precarious condition from the loss of blood, The builet had passed nearly through the hip, having lodged just under the skin. It is expected that he will recover.

One Guarded the Hend and One the Feet o a Siumbering Citizen. Policeman Burkhardt found a man seleen or

the stoop of 66 East Thirty-fourth street at 13:15 o'clock this morning. At his feet there was a big English mastiff and at his head an-When the policeman tried to wake the man

the dogs jumped up and chased the policeman away. Another policeman joined the attacking force and was repulsed in the same way. Finally six policemen came with a patrol With the stretcher out of the wagon they poked the man until he woke up.

Then he quieted the dogs and rode off to th West Thirtieth street station. A policeman went back to get the dogs, but one had cleared out. The other has on his collar. "Tigus, 520 out. The other has on his collar. Tigus, 520 West End avenue. The man said that he was Charles Caffrey of 422 Eleventh avenue, and that he had soid the dogs to a Mrs. Richmond, living at the address in West End avenue. She had not paid for them, he said, and so he went last night to the house and got the dogs

Bragged by a Cable Car.

Henry A. Collins, a sign painter, of 254 West [wentieth street, slipped and fell in attempting o board a Third avenue cable car yesterday a Thirteenth street, and was dragged fifteen feet before the car could be brought to a stop. It was an open car drawing a tratier, which apwas an open car drawing a trailer, which approached as Collins held up his hand for the grigman to stop his car. He jumped on the rear end of the forward car, the conductor at the same time ringing for the gripman to go ahead. Collins slipped and fell, but managed to catch the dashboard of the trailer. He held on, but his legs swent the pavement until the car was stopped. Collins said he had not been hurt even slightly, and would not make a complaint against the gripman.

laint against the gripman. Cholers in Egypt,

Carno, July 19.—There were yesterday in the military posts between Assoun and Rosbah 200 cases of cholers and 105 deaths from that disease.

TROLLEY CAR WRECKED; 7 HURT. A Brooklyn Car Running 15 Miles me

Hour Leaves the Truck on a Curve. An accident occurred about 8:10 o'clock last night on the Thirty-ninth street line of the

Nassau Railroad in Brooklyn, near the scene of the runaway car disaster of a few weeks ago. While car 760 was on the way from Bath Beach, with forty-seven passengers aboard, it Jumped the track in Thirty-ninth street and Tenth avenue.

It was going at a speed of fifteen miles an hour or more, and it bumped along over the uneven ground at that point for more than thirty feet, finally landing in a ditch on one side. Nearly all of the passengers either jumped or were thrown off, and their screams could be heard two blocks away. There were few who escaped without some cuts or bruises, but only seven are included in the list of injured fur-

placed by the police. They were: DONORUR PATRICE, conductor, aged 47 of 400 Fourth avenue; severe bruises on the back and internal in-Juries.

DOUGHERTT, JOHN, aged \$4, of Thirty-seventh street and Ninth avenue; brulses on left arm and forehead, GRAY, Mrs. CHARLES, agod 30, 281 Thirty-fourth street, brutsed hip. HAISLUDT, WILLIAM, uged 39, of Clarkson street

Flatbush, probable fracture of ribs.

HORTON, AMELIA. aged 25, of Clarkson atreet, Flat bush, bruise on shoulder. Horsura Mrs. E. aged 25, of Bath avenue and Bay Dirteenth street, laceration of legs. Suraskind, Mrs. Berria, aged 31, of 406 Cherry

street, arm bruised. Motorman Daniel Mahoney, aged 26 years, of 148 Fifth avenue, who escaped injury, is alleged to have been directly responsible for the acci-

He was arrested for criminal carelessness or the complaint of Edward Tobin, an inspector of the road. There is a sharp curve at the point where the accident occurred, but, as it is alleged, he made no attempt to slow up as he appreached it.

The ambulance from the Norwegian Hospital was summoned, and the surgeons in charge vers kept busy for a couple of hours dressing the wounds of the injured. The conductor was the only person removed to the hospital,

SEVEN OTHER CAR ACCIDENTS.

Wagon Wrecked and Two Men Hurt-Death Caused by a Previous Accident. These reports of troiley accidents appeared on the Brooklyn police returns yesterday: A Ninth avenue car collided with the wagon of Grocer Edward McDonald of 198 Myrtle avenue, in Concord and Pearl streets. James Nolan, aged 25 years, of 274 Hudson avenue, the driver, was thrown off and badly cut and bruised, and Thomas Carroll, aged 33, of 388 Degraw street, who was also on the wagon, was hurled head-long to the pavement and had his skull fractured. Both men were taken to the Brooklyn Hospital. The wagon was almost demolished.

Nicholas Baratta, aged 33 years, while working on the track in Nostrand avenue and Ellery street, was struck by a passing car. He received severe internal injuries. He was taken to the Eastern District Hospital. Philip Smith, aged 74 years, of 33 Main street. fell off a Fulton street car and received a frac-

ture of the thigh. He was taken to the Cumberberland street hospital. Nine-year-old Robert Goldstein, while playing in front of his home at 543 Rockaway avenue,

was struck by the fender of a Nasau car. He was picked up in the netting. After being carried was picked up in the netting. After being carried was picked up in the netting. After being carried was picked up in the netting. After being carried was picked up in the netting. After being carried was a collision yesterday afterboon bears when up in the man of the proper in my its man. There was a collision yesterday afterboon bears when upon in my its man. A. Gardner, aged 40 years, of 51 Marion after. The passengers were badly shaken up but none of them was injured. Jo as a stabbed of the man of the passengers were contained by feeling of the act in Fifth avenue and Forty-feel in the control of the passengers were contained by feeling of the control of injuries received on Tuesday hast of injuries received and on them years of the season of the brain. There is a strong reaction from the big demonstrated the track last night while turning the curve at dry which is endured. The received a severe scale wound and conversion of the brain, and Carl Hang of the track last night while turning the curve at dry which is endured. The received a severe scale wound and conversion of the brain, and Carl Hang of the track last night while turning the curve at dry which is endured. The office of the curve at dry which is endured. The received a severe scale wound and conversion of the brain, and Carl Hang of the track last night while turning the curve at dry which is endured. The received a severe scale wound and conversion of the brain, and Carl Hang of the track last night while turning the curve at dry which is endured. The following and the result has not made extempore address on the last work and the result has not made the track in the Markon of the Piffeenth street line and the result has not made the result has not made the result has not made the tenting the while the while the while the while in the result of the track of the third avenue line in Third avenue line in Third avenue while flex the converse of the track f 30 Tompkins avenue and Mrs. El-len Denny of 44 Stockton street, who had an infant in her arms, were thrown out of the car. Haug received several scalp wounds, con-tusions of the shoulder and side, and internal injuries. Mrs. Deuny and her child were only slightly injured. They were attended by an amoulance surgeon of the St. John's Hospital.

TROLLEY HITS REPAIR WAGON, Linemen's Legs Broken, Driver Burt, and Wagon Overturned.

One of the Consolidated Company's repair wagons was summoned last evening to repair a break at Johnston avenue and Grand street, Jersey City. The repair wagons have an elevated platform on which the linemen stand when they are at work. The innemen on this wagon wers James Sesner and William Gafney of 62 Tuers awanue. The break was on the down track, and when the linemen had repaired to the driver of the wagon pulled out on the other track to let sweral cars pass.

As the wagon got on the other track trolley car 123, bound for Bayonne, and running at high speed, crashed into it. The wagon was upset and the linemen and the driver were thrown to the street. The linemen's legs were broken, and they were very severely bruised. They were removed to the City Hospital. The driver was painfully but not severely injured. The horses escaped. The dashboard of the car was broken and twisted, but the motorman escaped. The passengers were thrown forward on the backs of the seats in front of them, and were much frightened, but not injured. of 62 Tuers avenue. The break was on the much frightened, but not injured.

BATTLE SHIP'S MEN IN A ROW. Some of the Indiana's Tars Have a Wild

Some of the blue ackets of the battle ship In diana, in a cutter, sailed up through the Kills resterday, landing first at Elizabethport. While ashore the men drank freely, and were unable to manage the boat. While sailing down the Kills the boat was stranded on rocks opposite the Newark Bay light, but was finally

floated. When opposite Sailors' Snug Harbor the cutter was run bead on into a ceal barge lying at anchor, and had a narrow escape from destruc-

anchor, and had a narrow escape from destruction. The sallors continued down the Killa landing at Burfield's dock. While ashore they became engaged in a fight.

Policeman Samuel Lake arrested one of the sallors. He was roughly handled. A man who gave his name as E. W. Smith of Elizabethport. N. J., pulled a dirk koife and was about to stab the policeman in the back when he was disarmed by citizens.

A hurry call brought out the reserves. The sallors exattered. Three of them jumped on board of the cutter and were leaving the dock when the police fired several shots, which caused the sallors to return.

They were arrested and were taken before Justice Van Vechten. They gave their names as Sallors Wilson, Foster, and Demarest. They were locked up at the West Brighton police etation for a further hearing to their ship.

Finding New York pretty dull on Sunday the seven Connecticut Populists who have stopped here en route to the St. Louis Convention spent yesterday at Manhattan Beach. Their yellow slik badges attracted no little attention at that resort, and 3,715 persons, by their computation. endeavored by argument and pleading to make them see the political error of their ways. Three of them found their way to the West End and came back full of frankfurters and tales of the roller coasters. The others stayed at Manhattan, had a dip in the surf, and attacked dinner with a ravenous appetite. All returned in the evening, highly pleased. They go on to St. Louis to-day.

Charles Liebhaber, 55 years old, of 73 Monroe street, died yesterday in the Synagogue of the Congregation Tifereth is rael at 126 Allen street. He had just come from a hespital, where he had been for several weeks.

BRYAN GETTING ANXIOUS.

NOT QUITE CERTAIN ABOUT EN-DORBEMENT AT ST. LOUIS.

Senator Allen Doesn't Seem to Be Eather sinate Over It-Bryan's Recent Speeches a Great Disappointment to His Admirers - Nebraska Republicans Confident,

Lincoln, Neb., July 10.-Sunday has been a very quiet day at the Bryan household. Mr. Bryan rose early, and after looking over the newspapers and attending to his correspondence. donned his best suit of clothes and went to church. He were a black cutaway coat and dark trousers, and had a pink carnation next to his 16 to 1 button. Mrs. Bryan found that there were a great many things about the house that seeded her attention, and she remained at home. She has been so constantly with her husband that his appearance without her oc-

casioned some comment. Mr. Bryan joined his wife immediately after church and they remained at home the rest of the day. There were few callers. Two or three men calling themselves Kansas Republicans spent a few minutes at the house and assured Mr. Bryan that Kansas would cast her electors vote for him. Most of to-day's visitors refrained from talking politics. There has been a mate-rial diminution in the size of the correspondence. There was little trouble in attending to all letters that came to-day.

The departure of delegates to the Populist Convention in St. Louis this afternoon was a matter of some interest. Nearly all of the leading members of the Populist party are delegates either to the Populist Convention or the Na-tional Silver Convention, and some of them are delegates to both. Mr. Bryan is greatly concerned in the outcome in St. Louis, and to-day he saw a few of the more prominent delegates at his house. Senator Allen and Gov. Holcomb will go to St. Louis to-night or to-morrow. Allen is head and shoulders above the rest of the party in this State, and the Populists are walting for some decisive word from him before they commit themselves on the question of en-

dersement.

Mr. Bryan would feel much easier than he does if he had the assurance that Senator Allen would go to St. Louis and advocate the endorsement of the action of the Chicago Convention. But Allen is looking a long way into the future, and he will be careful in taking any step that might tend to belittle the importance of the Populist party in 1800. It is no secret that he desires to be the Populist Presidential candidate four years from now. He thinks there is no show for the party this year, and he hopes for the election of McKinley, believing the complexion of Congress will be such that it will be impossible for the Republicans to enact any important legislation as long as McKinley is in the rtant legislation as long as McKinley is in the

impossible for the Republicans to enact any important legislation as long as McKinley is in the White House.

He thinks, or pretends to think, that the Republican party will be in the same demoralized condition in which the Democracy is at the present time, and that the country will turn to the Populist party for salvation. He is interested in keeping the party organization intact in the mean time, in order that it may be in condition to meet the emergency four vears hence, and for this reason he does not want any action at St. Louis that will in any way destroy the pressige of the party.

There is a growing feeling here, where the Allen influence is strong, that there will be no endorsement in St. Louis.

The criticisms of his post Convention speeches have worried Mr. Bryan not a little, and he has determined to put in some hard work in the next few weeks preparing for the strain of the campaign. Heretofore when he has gone out on speaking or lecturing tours he has depended on them for all occasions. At times he has varied the speeches aomewhat but has not made extempore addresses of any length. The trin from Salem to Lincoln was an experiment, and the result has not been what he will help for the speeches and his mail, will be put in in a restudy of the well-work volumes of "Burke's Speeches." "Cleero's Orations," "Demosthenes on the Crown," and "The Political Debates of Lincoln and Douglas," &c., which fill one bookense in his library.

Becan can do something to set the prairies on fire again, there is not thought to be any serious danger of his carrying the State.

Bryan's speech on his return home was a dispenditment. It was the weakest effort he has ever put forth here, and has had the effect of destroying confidence in him. A prominent Democrat said to-day:

"For the first time since Bryan entered public life the mask has been tern from him. Up to the Chicago Convention he malaiways prepared himself for what seemed to be emergencies, and the public was impressed with his facility and nimble intellect. Since the timestonion he has had no time to reheave and make ready, and every public appearance has been a disappointment. He has been disclosed as an ordinary man with common-place niess. An analysis of his speeches of the last seven or eight days shows their mediocrity. Always before Bryan was masquerading, now we have found out the was masquerading, now we have found out the

By the United Price.

Ry the United Press.

It was 6 o'clock this evening before Mr. Bryan, with the assistance of Mrs. Bryan and W. F. Schwind, who are acting as secretaries to the nominee, had opened and sorted yesterday's mail, and then they sighed as they looked at the big bundle of mail matter that came from the Post Office to-day.

The makers of Bryan cigars and Bryan whiskey are sevien, and each and every one of them is anxious for the candidate to try his wares. Mr. Bryan meither drinks spirituous liquors nor uses toblacce.

Little presents from enterprising merchants are also being delivered. Mr. Bryan authorizes the statement that he does not desire any gifts, and in order to discourage the sending he has decided not to sexhowledge their receipt.

Buth, William, and Grace Bryan, the children of the candidate, do not seem to be much impressed with the important position now occupied by their father. Miss Ruth, aged 11 years, spent most of the afternoon riding a new bicycle. She informed a visitor to-day that she was sure her father would carry D street and the Fifth ward of Lincoln, but as to the general result after Nov. 3.

It has been tractically decided that the Democratic campaign headquarters will be established in Chicago. Mr. Bryan will have his personal headquarters here. To morrow he will occupy the apartments reserved for his use at the Lincoln Hotel, and will receive visitors there.

IN MR. BRYAN'S CHURCH. L Young Parson Eulogizes the Hilver Can-

Lincoln, Neb., July 19 .- There was a mild sensation in the First Presbyterian Church, of which Mr. Bryan is a member, this morning. Mr. Bryan, accompanied by his little daugh-ter, rode from the house to the church in a

didate from the Pulpit.

ter, rode from the house to the church in a street car and acrived a little late, taking seats in one of the rear pews. The pulpit was occupied by the liev. W. K. Williams, a young man of 24, who has charge of Bethel Mission of the Methodist Episcopal Church, in the Bottoms district.

From the first the sermon was taken as having direct reference to Mr. Bryan. The young clergyman said to part.

"A member of the church has recently been greatly honored, and in the church when one member is honored all are honored. This man is honored by the Bellow citizen, one who is a brother in Christ Jesus, has been chosen for the great responsibility of leading a great party. I rejoice in the purity of his life, in the nobility of his thought, in the vigor of his young manhood, in the majesty and grandeur of his impassioned eloquence, and in the fearlessness which enables him to proclaim to all the world the principles that lie deep within his heart. I have prayed for him. I do pray for him, and I will continue to pray that its damay keep him pure and noble and enable him to become a yet mightler power for God in this nation."

Immediately following the services Mr. Bryan held an informal reception in the church

nim to become a yet mighter power for God in this nation."

Immediately following the services Mr. Bryan held an informal reception in the church lobby. Nearly everybody present shook him by the hand, and among the first to greet him was the young preacher. Some of the elders and conservative members of the church were disposed to find considerable fault with the sermon for what they considered its impropriety and extravagance. Mr. Williams was asked if he belonged to any political party, and he replied:

"I have no politics, but I believe in Bryan and his principles."

BRYAN READY TO DESERT.

He Wrote in 1893 that He Was Ready to Leave the Democratte Party. TOPERA, Kan., July 19 .- A letter from Willam J. Bryan was made public here to-day. E. G. Wilson, a schoolmate of Bryan, wrote to him in 1898, after his free-sliver speech in Congress,

sdvising him to stand by the Democratic party, Bryan replied as follows: 'I have not left the Democratic party, but am ready to do so as soon as I am satisfied that it as a party is wedded to the gold standard. Until that time it is not necessary to discuss the merits or demerits of of the Populists.

warning him against the Populist party, and

"There are some things in the platform, how-ever, which I do not and will not favor, but the Populists at their worst are not as dangerous to the Government as the plutocratic wing of both

old parties.
"If the Democratic party deserts its principles, the losses will go to the Independent party, and mederate their ideas and make them a ower for good."

WISCONSIN DEMOCRATS.

They Talk of Putting a National Ticket in the Field. MILWAUKER, July 19 .- Gen. Edward S. Bragg.

Senator Vilas, James J. Hogan, and James G. Fianders, the delegates at large from this State to the Chicago Convention, held a conference resterday and issued a declaration explaining the action of the delegation in not voting in the Convention.

As a result of the meeting it is certain that the gold Democrats of Wisconsin will put a ticket in the field in the State election regardless of the bolters in other States. Gen. Bragg is about the only one of the leaders who still be lieves that the gold men of the State will be able to control the Democratic State Convention to be held on Sept. 5.

J. J. Hogan expressed the sentiments of the majority when he said:

'I believe the sentiment of a large portion of the Democrats of the State is in favor of a new national ticket, and it is probable that one will

In the statement which has been issued, and which is signed by nineteen of the delegates to the Chicago Convention, reference is made to a mass meeting or a conference of the gold men to take action to repudiate the Chicago plat-form and nominees. The conference lasted from 11 A. M. until 5 P. M. yesterday.

PROF. BRYCE ON ARBITRATION. He Thinks Satisbury Is Overcautious and

Has Raised Needless Difficulties. LONDON, July 19.-The Dutly News will tomorrow publish an interview with James Bryce, M. P., the well-known author of "The American Commonwealth," on the subject of Anglo-American arbitration, Mr. Bryce's views on the question are optimistic. He says that the despatches exchanged by Lord Salisbury and Secretary of State Olney show that each side is sincerely desirous of an agreement that will be satisfactory to both. Lord Salisbury, he holds, is overcautious, and has raised

needless difficulties. Mr. Bryce further said that he is in favor of ubmitting territorial disputes to the decision of an arbitration court. He approves the proposal for an appointment of a joint commis-

boat Valley Girl from Glen Island when that boat was trying to make a landing at the foot of South Fifth street, Williamsburgh, last night. In the collision Jessie Reed, 22 years old, of 81 Morton street, this city, fell on the Starin boat and broke her leg. She was brought to this city.

PERALTA-REAVIS SENTENCED.

Two Years in Prison and a Pine of \$5.000 for Conspiring to Rob Uncle Sam, SANTA FE, N. M., July 19.-In the United States Court yesterday afternoon, Judge Laughlin sentenced James Addison Persits-Reavis, convicted of conspiracy to defraud the Government in connection with the Peralta land grant case, to two years imprisonment and to pay a

How a Stranger Got 1 Per Cent. Commis

sion on a Worthiess Check. A tail, well-dressed man with iron-gray hair called at the home of A. J. Decker in the Flatbush district in Brooklyn on Saturday afternoon and requested an interview with him. When Mrs. Decker told him that her husband would not return from business for a few hours, he handed Mrs. Decker a note addressed to her husband, and, explaining that it contained some important information, asked her to read it, Mrs. Decker did so, and found inside the envelope this alleged telegraph message from St.

Louis: "A. J. DECKER: You will call at the Park Hank with transfer check, amount \$498, pay-able to your own personal order only, and you will receive the euclosed amount. Transfer discount fixed at one per cent., payable on presen-tation of despatch. E. B. SINGLAIR."

Mrs. Decker examined the check with much interest and explained that she did not know anything about the transaction involved, but supposed it was all right, Without the slightest hesitation Mrs. Decker gave him a \$5 bill to cover the discount, \$4.98, and the stranger took his departure after handing her the required two cents change. There wasn't a more dis-gusted man in Flatbush than Mr. Decker when he got home and his wife told him of the inci-dent. He didn't lose a minute in acquainting the police with the swindle.

HOUSEHOLDER CATCHES THIEF. A Young Man from Baltimore Makes

Luckless Experiment to Moboken. A sneak thief entered the residence of L. A. Skinner at 1,245 Bloomfield street, Hoboken, n Saturday, and Mr. Skinner caught him in the vestibule. Detective Fallon took the thief to the Second precinct police station. He said he was Adolph Lober, 32 years old, of Baltimore. Md. He had a set of burglar's tools, including a firmmy, file, sorewdriver, and eight skeleton keys. He admitted that he was a thief. He said became in from Faltimore on a freight train, and being unable to find em-ployment, decided to steal.

Church Blown Up with Gunpowder, PORTSMOUTH, O., July 19. The east wing of the Second Presbyterian Church was shattered by an explosion of gunpowder last night. This is the fourth attempt within a week to blow up buildings here, and the most successful one.

William Lloyd was arrested on suspicion and narrowly escaped lynching. Latest Marine Intelligence. Arrived-Steamship Spaarndam, from Botterdam

.. The Banedict" Perfect Collar Button. Ben

TROUBLE FOR POPULISTS.

ONE FACTION FOR BRYAN AND THE OTHER AGAINST HIM.

One Side Is Thinking of Victory and Offices. and Ascerting that Bryan Will Be Fate with the Patronago-The Other Side Is Thinking of the Party's Fature-The Pur Meginning to Fly-" Cyclone" Davis, Capt. Ketb, Gen. Wenver, the Famous Coxey, Ignatius Donnelly, and Others Taking a Hand in the Fuse-Mac Bryan Seat a Lettert-Some Talk of a Bolt.

Sr. Louis, July 19.—It is part of the ritual of the Populists to open and close their political gatherings with prayer. In the sparsely settled regions of the Southwest a religious feeling pervades many of the meetings. To a great extent this is true with the rank and file in the Southern States, and it is the testimony that omething like religious fervor animates the Populists of the far West and the Northwestern tates. All day long there have been conferences and meetings in this convention city. They have not been meetings of delegates or the rank and file of the Populist party, and for that reaon possibly very few prayers have been heard. The meetings have been made up of leaders and Democrats who are interested in having the Convention endorse or nominate Bryan and

A good many imprecations have been heard. nowever, and strong language has been indulged in, and, taking it all in all, it must be said in the interest of truth that these "Pop" leaders are very much like other politicians. They are just as much interested in fixing up deals and in conducting dickers and in getting the best end, as any politicians that were observed in the National Conventions held by the Republicans in this city a month ago and by the alleged Democrats in Chicago a little over a week ago.

The only invocations that were heard to-day came from the "Middle of the Road" Popuists, and they cried aloud to be saved from being swallowed by the Bourbon Democrats of the South. The man who raised his voice aloud in these invocations was "Cyclone" Jim Davis of Sulphur Springs, Tex. Although Chairman Tanbeneck of the "Pop." National Committee is practically the head of the anti-Bryan "Pops," nevertheless "Cyclone" Davis is looked upon as the leader of the "Middle of the Road" men, who join hands with Taubeneck in their opposition to the endorsement or nomination of Bryan and Sewall.

GOV. STONE STARTS TROUBLE.

The trouble started immediately after sunrise this morning. These Populists get up very early, and they begin their dickers and deals before city folks are out of bed. The Populist leaders who are opposed to Bryan and Sewall learned with something like amazement that Gov. Stone of Missouri had told his friends that these Populist leaders could not control the Populist Convention against Bryan and Sewall. but that the Populist delegates would tumble over each other in their haste to either numinate or endorse the Chicago ticket. Gov. Stone had been consulting at the Planters' most of the night with the Populist leaders from the far Western and Northwestern States, who are very favorable to Bryan and Sewall. He made this remark and it was quickly conveyed to the Populist leaders of the "Middle of the Road" camp, who hall from the Southern and South-

western States. "Well, these 'Middle of the Road' leaders were so anery that they could scarcely speak. They said a few harsh things of Gov. Stone and then began to work among their friends in an effort to disprove Gov. Stone's statements, and they declare to-night that they will demonstrate in the Convention that Gov. Stone knows little or nothing of what he is talking about. Gov. Stone, however, does not change his opinion, and when he was joined at the l'lanter's to-night by Senator James K. Jones, Chairman of the Democratic National Committee, he repeated

his views to Senator Jones. The Arkansas statesman had come all the way from Washington to discuss with Gov. one the possibilities of the Convention Bryan and Sewall. Notwithstanding the words of Gov. Stone that the l'opulist leaders cannot control the delegates of this Convention, the to express an opinion as to whether the Convention would endorse the Chicago ticket. Neither did Senator Jones care to give his views on the Gov. Stone and give some attention to the workings of the Copplist Convention, and that

he would then go to his home in Arkansas. While Gov. Stone and Senator Jones were formulating with their friends plans to capture the Convention for Bryan and Sewall, "Cyclone" Davis was with his friends consulting as to the best methods of demonstrating to flov, Stone that the Populist delegates would stand by their leaders. "Cyclone" Davis said to THE SUN re-

"Gov. Stone cannot thoroughly understand the situation here. He says that the Populist leaders cannot prevent the nomination or endorsement of Bryan and Sewall. Let me say to you, Suh, that Gov. Stone has not barbecued and hasned with the Populists as I have for stg years. He has not attended gatherings of 10,000 Populists that were opened and closed with prayer as I have. He does not understand the feeling of Populists in the South against the Bourbon Brigadiers. Why, only to-day I have received scores of letters from Populists in Southern States begging us, for God's sake, to stand firm and not to betray our trust by nominating or endorsing Bryan and Sewail. If we endorsed or nominated Bryan and Sewall here the Populist leaders could not deliver first

per cent. of our votes in the Southern States. "We 'Middle of the Road' men propose to neminate other candidates than Bryan and Sewall and to adopt our own platform. Then, if the Democrats wish to join with us in arranging the electoral tickets, we will not be im-placable. This movement of the far Western and Northwestern Populists to endorse Bryan and Sewall will, if it is successful, crucify us in the Southern States. But they cannot beat us into such a thing. We will not tolerate it. We cannot go home to our people after having done

such a thing.
"They tell us that they are going to defeat us. They will not as long as I have a breath of life left in my body. I propose to take a hand in making up the platform of this Convention. It will be one of the most striking platforms ever adopted in a convention. It will be very much like the Omaha platform with certain additions, and one thing that I can tell you is that this piatform will have a clause which will declare that the Bourbon Brigadiers of the South shall not be allowed to treat us worse than they have treated the negroes who have attempted

to vote." THE WARBLERS ARRIVE.

"Cyclone" Davis is a very determined man He is looked upon here as one of the most intel-ligent men in the Populist camp. He is courageous to the last degree, and behind him are some of the most determined Populists in the organization. As in all political organizations, so there are wabblers in the Populist camp. A number of these wabblers arrived to-day, and while for days they have been put down as "Middle of the Road" men and opposed to Brian and Sewall, they said to-night they scarcely knew what to say about the situation. They begged to be excused from saying anything. They said that they wished to look over the situation, and then to decided for the best

interests of their organization. Senator Peffer, for instance, who has been heard all along to say that he was in favor o Bryan and Sewall, has chaffed front. He said